

STATEMENT OF PURPOSE

RS18490

The bill modernizes the basic filing fee statute by eliminating the disparate fees charged for various types of civil cases; providing a thorough list of those cases for which no filing fee is paid; eliminating the different filing fee charged to interveners; and clarifying that where two or more defendants make an appearance in the same filing, only one filing fee is charged for the filing, rather than a separate filing fee for each of the defendants. The bill also corrects an omission that occurred in 2006 when the Legislature created the Senior Magistrate Judges Fund to purchase additional years of service for retiring magistrate judges who made a commitment to serve as senior judges. The Fund is supported by a \$6.00 fee for filing civil cases. This bill provides that this fee would also be charged for filing small claims cases, which are presided over by magistrate judges.

FISCAL NOTE

Based on data from calendar year 2008, the following funds would receive these additional amounts annually from the changes in fees:

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|--------------------------------|-----------|
| State General Fund | \$136,056 |
| County District Court Funds | \$253,206 |
| Senior Magistrate Judges' Fund | \$108,810 |
| Judges' Retirement Fund | \$324 |

Contact:

Name: Patricia Tobias, Administrator

Office: The Courts

Phone: (208) 334-2246